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MAR 24 1992

Federal Communications Commission
Office of the Secretary

Paradise Broadcasting, Inc.
407 West 9th Street
Chico, CA 95928
March 19, 1992

Ms. Donna Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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MAR 24 1992

Re: Petition to Amend the FM Table of Allotments
Paradise Broadcasting, Inc.
Paradise, California
Fort Bragg, California

FCC MAIL BRANCH

Dear Ms. Searcy:

Transmitted herewith is an original and four (4) copies of a "Petition to Amend the FM table of Allotments."

Paradise Broadcasting requests FCC consideration of the allotment of Channel 244B1 to Paradise, California and the modification of license for KZZP(FM) (BLH-860814KB) to specify operation on Channel 244B1. We are also requesting that KLLK(FM) (BLH-910227KD) in Fort Bragg, California be reassigned from Channel 244B to Channel 228B to facilitate this change.

Should any questions arise regarding this matter, kindly contact the undersigned, directly.

Respectfully submitted,
PARADISE BROADCASTING, INC.



Robb Cheal
President

Enclosures

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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MAR 24 1992

Federal Communications Commission
Office of the Secretary

In the Matter of:

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
Paradise, California
Fort Bragg, California

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)
)

MM Docket No.
RM No.

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MAR 24 1992

FCC MAIL BRANCH

TO: Chief, Allocations Branch

PETITION FOR RULE MAKING

Comes now, Paradise Broadcasting, Inc. pursuant to the provisions of Section 1.420(q) of the Commission's Rules, requesting that the Table of Allotments in Section 73.202(b) of the Federal Communications Commission's Rules and Regulations be amended.

Paradise Broadcasting, Inc. is the licensee of KZZP(FM) at Paradise, California (FCC File No. BLH-860814KB) and is currently authorized to operate on Channel 244A in Paradise, California. Paradise Broadcasting, Inc. is also seeking to modify the allocation to KLLK-FM (BLH-910227KD) to specify operation on Channel 228B in lieu of Channel 244B.

Our proposal seeks to amend The Commissions FM Table of Allotments (Section 73.202(b) as follows:

<u>CITY</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Paradise, California	244A	244B1
Fort Bragg, California	244B	228B

As stated, Paradise Broadcasting, Inc. seeks to upgrade their existing facility from Channel 244A to 244B1. The proposed channel upgrade can be made in compliance with the Commission's minimum separation requirements with the reallocation of KLLK-FM to Channel 228B. In accordance with the Commission's policy to modify the license of Paradise Broadcasting, Inc. to specify operation on the Class "B1" Channel, it may be implemented without demonstrating the availability of an additional equivalent channel for use by other interested parties. (See, Report & Order, MM Docket No. 85-313, 51 F.R. 20290, June 4, 1986). The upgrade of Channel 244A to Class "B1" parameters is in the public interest and such an allotment would provide Paradise, California with a wide-area FM service.

In its Report & Order, "Modification of FM and TV Station Licenses," the Federal Communications Commission encouraged FM permittees and licensees to "upgrade their facilities in order to improve service to their community." (56 RR2d, 1253, 1255, (1984)). Such an amendment to the FM Table of Allotments would further the FCC's goal of providing a more efficient use of the FM spectrum as well as providing a more improved service to Paradise, a growing area.

The Engineering Exhibit of Paradise Broadcasting, Inc. attached hereto, provides a detailed analysis of the specific portions of the FM band which are involved in the upgrade request. This study concludes the Channel 244B1 would provide city grade coverage to Paradise, California. This allotment can only be accommodated, however, by the suggested reallocation of Channel 244B in Fort Bragg, California to Channel 228B. Only then could the allotment for Paradise, California be consistent with the mileage separation and city grade service requirements of the Rules.

The consideration of all factors shows that this proposal can be accommodated and that the Table of Allotments can be amended without jeopardizing any other community or facility. No community would lose any present or potential service and a substantial area of service would be added if this proposed change were to be implemented. This proposal also provides an added benefit to KLLK-FM. The proposed allotment of Channel 228B to Fort Bragg, California will give KLLK-FM substantially more land area with which to locate their transmitter,

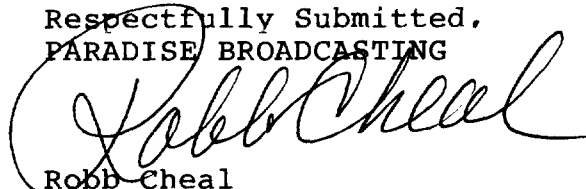
If these proposed changes are adopted by the Commission, Paradise Broadcasting will reimburse The Henry Radio Company (licensee of KLLK-FM) for any reasonable costs associated with relocating their operation to Channel 228B (see 8 FCC 2d 159) and will promptly submit an application (FCC Form 301) to upgrade their facility as soon as a "Report and Order" is released modifying the license, held by Paradise Broadcasting, Inc. to specify operation on Channel 244B1.

As previously stated, no community would lose any present or proposed service as a result of the adoption of the "Petition" and a substantial new area of service will be added.

Therefore, in view of the foregoing facts, Paradise Broadcasting Inc. requests that the Table of Allotments (Section 73.202(b)) be amended to allot FM channel 244B1 to Paradise, California in substitution of its present Channel 244A, and to modify their license to specify operation on Channel 244B1. Paradise Broadcasting, Inc. also requests that the Table of Allotments (Section 73.202(b)) be amended to allot FM channel 228B to Fort Bragg, California in substitution of its present Channel 244B, and modify the license of KLLK-FM

to specify operation on Channel 228B.

Respectfully Submitted,
PARADISE BROADCASTING



Robb Cheal
President

Dated: March 19, 1992

Robb Cheal
Paradise Broadcasting, Inc.
407 West 9th Street
Chico, California 95928
(916) 873-4797

In the Matter of:)	
)	
Amendment of Section 73.202(b))	MM Docket No.
Table of Allotments)	RM No.
FM Broadcast Stations)	
Fort Bragg, California)	

NOTICE OF PROPOSED RULEMAKING

Adopted:

Released:

By the Chief, Policy and Rules Division:

1. The Commission has before it for consideration the petition for rule making submitted by Paradise Broadcasting, Inc. requesting the substitution of FM Channel 244A for Channel 244B1 at Paradise, California and modification of their license (FCC License File No. BLH-860814KB, Call Sign KZZP(FM)) for the existing facility to specify operation on the higher powered channel.

2. Paradise Broadcasting, Inc. is also requesting the substitution of FM Channel 244B for Channel 228B at Fort Bragg, California and modification of the license of KLLK-FM (FCC License File No. BLH-910227KD) for the existing facility to specify operation on the requested channel.

3. Channel 244B1 can be allotted to Paradise, California in compliance the Commission's minimum distance separation requirements if the transmitter site is located at 39-57-29 North Latitude, 121-42-50 West Longitude and KLLK-FM, Fort Bragg, California is relocated to Channel 228B as evidenced in the attached engineering statement. The petitioner has secured a suitable transmitter site at those coordinates. Petitioner states that the public interest would benefit from the substitution of channels as it could provide Paradise, California with a wide area coverage service.

4. Paradise Broadcasting, Inc. in their request to relocate KLLK-FM to Channel 228B has indicated its intention to reimburse The Henry Radio Company the licensee of KLLK-FM for reasonable costs associated with changing frequencies. See Circleville, OH, 8 FCC 2d 159 (1967).

5. In accordance with Commission policy, we shall propose to modify the license, held by Paradise Broadcasting, Inc. for KZZP(FM) to specify operation on the higher powered channel, and modify the license, held by The Henry Radio Company for KLLK-FM to specify operation on Channel 228B in lieu of Channel 244B. However, pursuant to Section 1.2(g) of the Commission's Rules, modification of the licenses held by Paradise Broadcasting and The Henry Radio Company may be implemented without demonstrating the availability of an additional equivalent channel for use by other interested parties.

6. In order to effectuate these proposals, the Commission proposed to amend the Table of Allotments, Section 73.202(b) of the Commission's Rules with respect to the following communities:

	Present:	Proposed:
Fort Bragg, California	237A 244B 253A	228B 237A 253A
Paradise, California	244A 278B1	244B1 278B1

7. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing by reference herein. NOTE: A showing of continuing interest is required by paragraph 2 of the appendix before a channel will be assigned.

8. Interested parties may file comments on or before _____, and reply comments on or before _____, and are advised to read the Appendix for the proper procedures. Additionally, a copy of such comments should be served on the petitioner, as follows:

Robb Cheal
Paradise Broadcasting, Inc.
407 West 9th Street
Chico, California 95928
(916) 893-4797

9. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Allotments, Section 73.202(b), of the Commission's Rules. See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504, and 73.606(b) of the Commission's Rules, 46 Fed. Reg. 11549, published February 9, 1991.

10. For further information concerning this proceeding, contact _____, Mass Media Bureau (telephone) (202) _____. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all ex parte contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. An ex parte contact is a message (spoken or written) officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an ex parte presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment, to which the reply is directed, constitutes an ex parte presentation and shall not be considered in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION

Chief, Policy and Rules Division
Mass Media Bureau

Attachment: Appendix

_____, 1992

PARADISE BROADCASTING, INC.

RADIO STATION KZZP(FM)
CHANNEL 244A, 96.7 MHz
PARADISE, CALIFORNIA

ENGINEERING EXHIBIT FOR PETITION
TO AMEND THE FM TABLE OF ALLOTMENTS

March 19, 1992

Brian J. Henry
Consulting Engineer
Willits, California

AFFIDAVIT

State of California)
) ss:
County of Mendocino)

Brian J. Henry, being duly sworn upon oath, deposes and says:

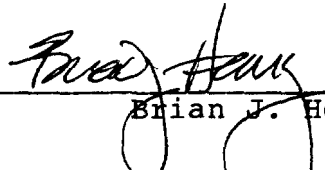
1. That he is qualified engineer employed as Brian J. Henry, Consulting Engineer.

2. That he graduated with honors from Napa College with an Associated of Arts Degree in Natural Science in 1982, and a Bachelor of Arts Degree in Mass Communications from the University of California at Berkeley in 1984.

3. That the firm of Brian J. Henry , Consulting Engineer, has been retained by Paradise Broadcasting, Inc. for the purpose of preparing this engineering exhibit to the "Petition to Amend the FM Table of Allotments."

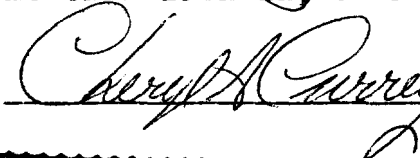
4. That he has carried out such engineering work and that the results are attached hereto and form a part of this affidavit, and

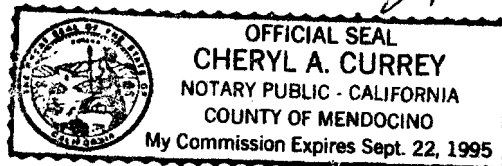
5. That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge except such statements therein made on information and belief, and as such statements, he believes then to be true.



Brian J. Henry

Subscribed and sworn to before me this 19th day of March, 1992.





RADIO STATION KZZP(FM)
CHANNEL 244A, 96.7 MHz
PARADISE, CALIFORNIA

STATEMENT OF BRIAN J. HENRY, CONSULTING ENGINEER

I have been retained by the Licensee of KZZP(FM) at Paradise, California (FCC License File No. BLH-860814KB) to prepare the engineering portion of this Petition for Rulemaking.

ALLOCATION CONSIDERATIONS

The purpose of this Engineering Statement is to provide information to support the upgrading of KZZP(FM) from its present Class "A" status to that of a Class "B1" facility. A favorable outcome of this request will provide additional services to a number of communities in and around the Paradise area.

The assignment of FM Channel 244B1 to the community of Paradise, California can be made in compliance with the required mileage separation and city grade signal coverage stipulations by using a new transmitter location with geographic coordinates of North Latitude 39-57-29 and West Longitude 121-42-50, and relocating KLLK-FM in Fort Bragg, California to Channel 228B in lieu of Channel 244B. A transmitter located at the proposed location will provide the required city grade coverage to the entire city of Paradise, California.

The proposal of Paradise Broadcasting, Inc. was evaluated to determine the extent to which the upgraded facility would provide coverage to a greater number of persons and a larger total service area. As a Class "B1" facility, Paradise Broadcasting, Inc. would serve a significantly larger population within an area that is roughly six times larger than that served by the current Class "A" facility.

A frequency search was performed for both Paradise, California and Fort Bragg, California and the requested channels respectively. The results show that this proposal meets all the mileage separation criteria as required by the Rules and Regulations.

DISTANCE TO 70 DBU CONTOUR

The proposed transmitter location (N39-57-29, W121-42-50) is located 23 km northwest of Paradise, California with no terrain barrier. Assuming maximum class B1 facilities, the proposed 70 dBu contour will encompass Paradise, California. To further evidence this, KCHH(FM), licensed to Paradise, is currently authorized to operate on Channel 278B1 from the same transmitter location as proposed here.

FAA AVIATION CONCERN

Since the proposed transmitter and antenna location has by approved by the FCC previously, there should be no problems to the aviation community due to the alterations required by this proposal.

ENVIRONMENTAL CONSIDERATIONS

Since the proposed transmitter and antenna location is already existing with multiple users, there should be no negative impact on the environment caused by the proposed upgrade.

CONCLUSIONS

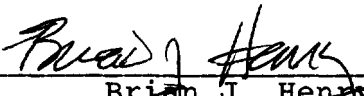
1. This proposal will provide a much needed, wide area FM service to Paradise, California.
2. The proposed channel substitution does not preclude service in any way to the community or residents of Fort Bragg, California.
3. All mileage separation and spacing requirements required by the Rules and Regulations are satisfied.
4. There are no FAA aviation hazards identified with this proposal.
5. There is no environmental impact caused by this proposal.

LIST OF FIGURES

In Carrying out the engineering studies, the following attached figures were prepared by me or under my direct supervision.

1. FM Channel Study for Fort Bragg, California on Channel 228B.
2. FM Channel Study for Paradise, California on Channel 244B1.

BRIAN J. HENRY
Consulting Engineer



Brian J. Henry

March 19, 1992

Broadcast Data Services

Date 3/18/92

page 1

Study Name : KLLK-FM
 Channel : 228B
 Coordinates : N 39 27 53.0 W 123 45 27.0
 Separations : FM Zones 1 - Commercial
 Safety Zone : 50 km

Call City	File Number State	Chan Status	ERP HAAT	Latitude Longitude	Bear Zone	Dist(km) Notes	Required Clearance
KHTT	BLH-791211AJ	225B	2.30	38 45 45.0	134.3	111.24	74.0
HEALDSBURG	CA	LIC	595	122 50 24.0	1		37.2
KXGO	BLH-850606KJ	226C	100	40 43 36.0	352.7	141.31	105.0
ARCATA	CA	LIC	500	123 58 19.0	1		36.3
KYA	BLH-880429KB	227B	50.0	37 43 27.0	143.1	240.24	169.0
SAN FRANCISCO	CA	LIC	150	122 7 7.0	1		71.2
KSUEFM	BLH-860716KA	227C	100	40 27 13.0	66.9	293.62	217.0
SUSANVILLE	CA	LIC	352	120 34 14.0	2	Comnt	76.6
KRXQ	BLH-880819KG	229B1	25.0	38 43 12.0	110.0	233.30	145.0
ROSEVILLE	CA	LIC	99	121 14 9.0	1		88.3
NEW	BPH-880519NR	229A	0.63	38 20 51.0	147.9	146.20	113.0
SEBASTOPOL	CA	APP	207	122 51 54.0	1	Comnt	33.2
NEW	BPH-880519MD	229A	0.62	38 20 42.0	147.8	146.64	113.0
SEBASTOPOL	CA	APP	222	122 51 38.0	1	Comnt	33.6
NEW	BPH-880519MX	229A	0.53	38 20 43.0	147.8	146.62	113.0
SEBASTOPOL	CA	APP	238	122 51 38.0	1	Comnt	33.6
NEW	BPH-880518MB	229A	0.65	38 20 52.0	147.8	146.20	113.0
SEBASTOPOL	CA	APP	208	122 51 52.0	1	Comnt	33.2
D80-90		229A		38 24 .0	145.3	143.37	113.0
SEBASTOPOL	CA	ALC		122 49 18.0	1	Comnt	30.4
KTMT	BLH-890803KC	229C	31.0	42 4 55.0	16.4	303.58	217.0
MEDFORD	OR	LIC	994	122 43 7.0	2		86.6
KFMF	BLH-880811LB	230B1	2.00	39 56 46.0	72.3	182.62	71.0
CHICO	CA	LIC	344	121 43 17.0	1		111.6
NEW	BPH-911115ME	281A	0.27	38 32 24.0	145.9	123.70	15.0
WINDSOR	CA	APPM	343	122 57 39.0	1	Comnt	108.7
NEW	BPH-911115MJ	281A	0.26	38 32 24.0	145.9	123.70	15.0
WINDSOR	CA	APP	344	122 57 39.0	1	Comnt	108.7

BRIAN J. HENRY
 CONSULTING ENGINEER

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FIGURE 1

Broadcast Data Services

Date 3/18/92

Page 2

Study Name : KLLK-FM
 Channel : 228B
 Coordinates : N 39 27 53.0 W 123 45 27.0
 Separations : FM Zone 1 - Commercial
 Safety Zone : 50 km

Call City	File Number State	Chan Status	ERP HAAT	Latitude Longitude	Bear Zone	Dist(km) Notes	Required Clearance
NEW WINDSOR	BPH-911115MR CA	281A APP	0.24 346	38 32 25.0 122 57 40.0	145.9 1	123.66 Comnt	15.0 108.7
NEW WINDSOR	BPH-911115MT CA	281A APP	0.25 337	38 32 24.0 122 57 39.0	145.9 1	123.70 Comnt	15.0 108.7
WINDSOR	CA	281A ALC		38 36 37.0 122 53 12.0	141.4 1	121.17 Comnt	15.0 106.2
WINDSOR	CA	281A ADD		38 36 37.0 122 53 12.0	141.4 1	121.17	15.0 106.2

Broadcast Data Services

Date 3/19/92

page 1

Study Name : KZZP
 Channel : 244B1
 Coordinates : N 39 57 29.0 W 121 42 50.0
 Separations : FM Zones 1 - Commercial
 Safety Zone : 50 km

Call City	File Number State	Chan Status	ERP HAAT	Latitude Longitude	Bear Zone	Dist(km) Notes	Required Clearance
KYMX SACRAMENTO	BLH-850313kk CA	241B LIC	50.0 145	38 38 9.0 121 33 11.0	174.6 1	147.45	71.0 76.4
KFMI EUREKA	BLH-5918 CA	242C LIC	30.0 482	40 43 36.0 123 58 18.0	294.8 2	209.97	105.0 105.0
KFMI EUREKA	BPH-870302NJ CA	242C CP	100 482	40 43 36.0 123 58 18.0	294.8 2	209.97	105.0 105.0
KKLC SUSANVILLE	BPH-910204ME CA	242C3 CP	25.0 100	40 27 21.0 120 35 18.0	59.6 2	110.62 Comnt	50.0 60.6
KOITFM SAN FRANCISCO	BLH-6256 CA	243B LIC	33.0 430	37 45 20.0 122 27 5.0	194.8 1	252.74	145.0 107.7
KRZQFM TAHOE CITY	BLH-880331KA CA	243C2 LIC	0.85 904	39 18 47.0 119 52 59.0	114.0 2	172.72 Comnt	134.0 38.7
KRZQFM TAHOE CITY	BPH-901224ID CA	243C2 APPM	12.0 665	39 15 32.0 119 42 6.0	113.6 2	189.45 Comnt	161.0 28.4
KRZQFM TAHOE CITY	BPH-911202IC CA	243C1 APP	4.00 904	39 18 47.0 119 52 59.0	114.8 2	172.72	161.0 11.7
KRZQFN TAHOE CITY	CA	243C1 ALC		39 16 22.0 119 42 13.0	113.2 2	118.65 Comnt	113.0 27.7
D91-341 TULELAKEOL	RM-7897 CA	243C2 PADD		41 57 24.0 121 28 30.0	5.1 2	222.86 Comnt	134.0 88.9
D91-341 ALTAMONT	RM-7836 OR	243C1 PADD		42 5 36.0 121 59 35.0	354.5 2	238.29 Comnt	161.0 77.3
KLLKFM FORT BRAGG	BLH-910227KD CA	244A LIC	3.70 128	39 27 53.0 123 45 27.0	253.2 1	183.61 Comnt	143.0 40.6
KLLKFM FORT BRAGG	CA	244B ALC		39 27 53.0 123 45 27.0	253.2 1	183.61 Comnt	211.0 -27.4
KVFX MANTECA	BLH-860929KA CA	244A LIC	3.00 100	37 43 45.0 121 11 49.0	169.6 1	251.47	143.0 108.5

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BRIAN J. HENRY
 CONSULTING ENGINEER

FIGURE 2

Broadcast Data Services

Date 3/19/92

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Study Name : KZZP
 Channel : 244B1
 Coordinates : N 39 57 29.0 W 121 42 50.0
 Separations : FM Zone 1 - Commercial
 Safety Zone : 50 km

Call City	File Number State	Chan Status	ERP HAAT	Latitude Longitude	Bear Zone	Dist(km) Notes	Required Clearance
KNVR(KZZP) PARADISE	BLH-860814KB CA	244A LIC	3.00 100	39 47 1.0 121 40 37.0	170.8 1	19.62	143.0 -123.4
KSEG SACRAMENTO	BLH-800630AC CA	245B LIC	50.0 150	38 38 54.0 121 28 40.0	172.0 1	146.82	145.0 1.8
KFMJ GRANTS PASS OR	BLH-860403KB OR	245C LIC	25.0 679	42 22 56.0 123 16 29.0	334.7 2	299.39 Comnt	193.0 106.4
KNCQ REDDING	BLH-851104KF CA	247C LIC	28.0 1088	40 36 10.0 122 38 58.0	312.4 2	107.03	105.0 2.0
KWNZ CARSON CITY NV	BLH-850306LB NV	247C LIC	87.1 644	39 15 21.0 119 42 37.0	113.8 2	188.92	105.0 83.9
KPRL COLUSA	BLH-860925KB CA	298B LIC	27.8 193	39 17 17.0 122 20 2.0	215.7 1	91.47 Comnt	17.0 74.5

The Henry Radio Company
12 West Valley Street
Willits, CA 95490
(707) 459-1250
March 19, 1992

Ms. Donna Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Amendment of Section 73.202(b), Table of Allotments,
Paradise and Fort Bragg, California.

Dear Ms. Searcy:

This letter is written on behalf of The Henry Radio Company, licensee of Channel 244B (KLLK-FM) in Fort Bragg, California.

The Henry Radio Company would like to state that it sees no difficulty with Paradise Broadcasting, Inc.'s proposed rulemaking that recommends substituting Channel 228B for 244B in Fort Bragg, California.

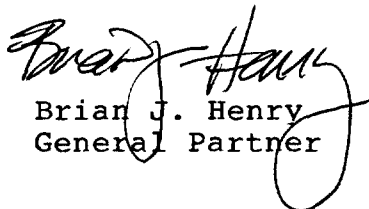
The Henry Radio Company will not object to this proposal.

The Henry Radio Company respectfully requests that the FCC incorporate this letter as part of the official record in the proposed Paradise, and Fort Bragg, California rulemaking proceeding.

Should any questions arise concerning this matter, please contact the undersigned directly.

Very Truly Yours,

THE HENRY RADIO COMPANY


Brian J. Henry
General Partner